

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Public Requests and Rulemaking
- 2) Code Citation: 2 Ill. Adm. Code 2250
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
2250.10	Amendment
2250.20	Amendment
2250.30	Repealed
2250.40	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rulemaking: May 25, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporation by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposal Published in the *Illinois Register*: 41 Ill. Reg. 1952; February 17, 2017.
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking proposes to re-title the Part, Public Requests and Rulemaking. Section 2250.10, Public Requests, will direct the Board to follow the procedures in the Illinois Freedom of Information Act [5 ILCS 140]. Provisions in Sections 2250.20 and 2250.30 are being merged and Section 2250.40 is being repealed. Section 2250.20 directs the Board to comply with the rulemaking

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procedures contained within the Illinois Administrative Procedure Act [5 ILCS 100] and the rules promulgated under that Act.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago, Illinois 60601

(312) 814-5017
e-mail: mickey.ezzo@illinois.gov

The full text of the Adopted Amendments begins on the next page:

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TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER XXXI: ILLINOIS RACING BOARD

PART 2250
PUBLIC REQUESTS AND RULEMAKING

Section

2250.10	<u>Public Requests</u>
2250.20	Rulemaking
2250.30	Requests to Initiate Rulemaking <u>(Repealed)</u>
2250.40	Emergency Rulemaking <u>(Repealed)</u>

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Subpart A adopted at 4 Ill. Reg. 19, p. 240 effective April 29, 1980; codified at 5 Ill. Reg. 10873; Subpart B adopted at 2 Ill. Reg. 36, p. 272, effective September 9, 1978; codified at 5 Ill. Reg. 10875; Subpart A recodified from 11 Ill. Adm. Code 202 and Subpart B recodified from 11 Ill. Adm. Code 203 at 8 Ill. Reg. 16342; old Part repealed and new Part adopted at 24 Ill. Reg. 12732, effective August 1, 2000; amended at 41 Ill. Reg. _____, effective May 25, 2017.

Section 2250.10 Public Requests

The Board shall follow the procedures in the Illinois Freedom of Information Act [5 ILCS 140] in regards to requests for information. Requests should be directed to:

Freedom of Information Officer
Illinois Racing Board
100 W. Randolph Street
Suite 5-700
Chicago, Illinois 60601

(Source: Amended at 41 Ill. Reg. _____, effective May 25, 2017)

Section 2250.20 Rulemaking

- a) The Board shall comply with the rulemaking procedures contained within the Illinois Administrative Procedure Act [5 ILCS 100] and the rules promulgated under the Act in the adoption and filing of Board rules.~~Interested parties may~~

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~~submit comments, data, views or arguments within 45 days after publication of a proposed rulemaking in the Illinois Register.~~

~~b) Comments on a proposed rulemaking should be addressed to Administrative Rules Coordinator and must be received at the Board's principal office within 45 days after publication of the rulemaking in the Illinois Register.~~

~~e) The time for filing comments may be extended by a member of the Board or by the Chairman.~~

bd) The Chairman of the Board may order the submission of views and comments orally at a special or regularly scheduled meeting of the Board, or he/she may refer the matter to:

- 1) a standing committee which shall conduct a public hearing at which interested parties may submit evidence or express their views on the proposed rulemaking;
- 2) a committee appointed by the Chairman; or
- 3) a single Board member designated by the Chairman.

c) Any interested person or group may request the Board to adopt, amend, or repeal a rule. The request shall be directed to:

Executive Director
Illinois Racing Board
100 W. Randolph Street
Suite 5-700
Chicago, Illinois 60601

d) The request shall contain the following:

- 1) The name and address of the person or group submitting the request.
- 2) The specific rule of the Board that the requestor believes should be amended or repealed, or the specific language the requestor believes should be adopted as a rule by the Board.
- 2) Facts and arguments in support of the proposed rulemaking.

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- 4) The specific reason the requestor believes that the Board should initiate the rulemaking action.
 - 5) Identification of any person or group adversely affected by the proposed rulemaking.
 - 6) Specific reference to any existing rules that are inconsistent with the proposed rulemaking.
- e) ~~The Board shall consider all data, views, arguments, and comments submitted by interested parties.~~

(Source: Amended at 41 Ill. Reg. _____, effective May 25, 2017)

Section 2250.30 Requests to Initiate Rulemaking (Repealed)

- ~~a) Any person may request the Board to adopt, amend or repeal a rule pursuant to Section 5-145 of the Illinois Administrative Procedure Act [5 ILCS 100/5-145].~~
- ~~b) Any person requesting the initiation of rulemaking shall be required to submit the following information in writing within 10 days after the original request:
 - 1) ~~The name and address of the person submitting the request.~~
 - 2) ~~A statement of the rule proposed for adoption.~~
 - 3) ~~Specific reference to any rules the requestor seeks to have amended or repealed.~~
 - 4) ~~Specific reference to any existing rules that are inconsistent with the proposed rulemaking.~~
 - 5) ~~The statutory authority for the proposal.~~
 - 6) ~~A brief statement of facts and arguments in support of the proposed rulemaking.~~
 - 7) ~~Identification of any person adversely affected by the proposed rulemaking.~~~~

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(Source: Repealed at 41 Ill. Reg. _____, effective May 25, 2017)

Section 2250.40 Emergency Rulemaking (Repealed)

~~If the Board finds that an emergency reasonably constituting a threat to the public interest, safety or welfare requires adoption of a rulemaking upon fewer than 45 days notice, it may adopt an emergency rule without prior notice or hearing, pursuant to Section 5-45 of the Ill. Administrative Procedure Act [5 ILCS 100/5-45].~~

(Source: Repealed at 41 Ill. Reg. _____, effective May 25, 2017)